

PREDECISIONAL DRAFT

Protocol Topic: Projected Shipment Planning Information

1. Introduction

This protocol addresses provision of information regarding projected shipments of DOE radioactive materials. This protocol is intended to accompany related protocol areas, in particular, the Shipment Prenotification Protocol.

2. Planning Information

Definition: Planning information is the general information regarding projected shipments that is shared with state and tribal authorities to allow them to adequately plan resources for inspections, emergency response, accident prevention, and public information/outreach activities.

1. Non-Classified Shipments

1. Summary information will be provided for shipping of the following materials:

1. Spent nuclear fuel
2. High level waste
3. ***High-volume shipments of*** low-level and mixed low-level waste
4. Transuranic waste
5. Isotopes
6. Tritium-bearing reactor components

2. Summary information may include (specific information to be determined by responsible DOE office, in conjunction with state and tribal authorities):

1. When shipments are anticipated
2. Origin
3. Destination
4. Projected pass-through states and tribal lands
5. Expected number of shipments
6. Operational specifics (e.g., whether shipments are escorted)
7. Description of material to be shipped
8. Packaging descriptions
9. Shipping modes
- 10.*** Potential routes
11. DOE/contractor point of contact

PROTOCOL TOPIC- PROJECTED SHIPMENT PLANNING INFORMATION.DOC

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12. List of applicable reference documents (e.g., EIS, EA, ROD)
3. Recipients of the information:
 1. State and tribal agency officials/points-of-contact
(Note: States may pass on information to local governments as they deem appropriate)
 2. Other parties as deemed appropriate by the responsible DOE office, in conjunction with state and tribal authorities (e.g., regional groups)
4. Frequency of updates
As determined by the responsible DOE office, in conjunction with state and tribal authorities
5. Method of providing information
 1. As determined by the responsible DOE office, in conjunction with state and tribal authorities
 2. DOE Programs may use the Prospective Shipments Module for spent fuel, highway route-controlled quantity and other campaigns, ***after the NEPA process is completed.***
2. Classified Shipments
 1. Summary information, as described above, on Naval spent fuel shipments is made available to state and tribal officials.
 2. DOE works with contacts, designated by states and tribes with the need to know, to provide informational material to state, local or tribal government organizations requesting information on classified national security shipments that meet safeguards and security requirements.

KEY ISSUES

1. Stakeholders want the protocol to specify that information must be provided a minimum of 3 years in advance of shipments.

Specific Comments:

Shipment planning information should be provided to States and Tribes a minimum of three years prior to the beginning of shipments. Information should include identified routes, transport modes, and a description of material to be shipped, including maximum curie amount per shipment, type of material shipped, packaging, and the number of highway route-controlled quantity shipments, if any. (Calif. Energy Board)

New Mexico and a majority of other states are on record as supporting at least a three-year lead time for planned shipments. (NM EM&NR Dept.)

DOE Response:

DOE recognizes that stakeholders need planning information in order to carry out their responsibilities. This protocol provides the general information that will help stimulate a continuing dialogue between DOE programs and affected stakeholders. The projected shipment planning information protocol notes that the information provided and the timing of it will be determined by the responsible DOE office, in conjunction with State and Tribal authorities. This will permit each program to determine, in concert with their stakeholders, the appropriate schedule for providing information. Details on major shipping campaigns may be covered in transportation plans, the need for which will be defined in the planning protocol.

2. Stakeholders want the protocol to require a specific frequency for updates of information (annually, monthly, etc.).

Specific Comments:

Regarding the section on "Frequency of updates," does the phrase "as determined by" mean "to be determined prior to publishing the final protocol," or is the intent to have DOE, States and Tribes address--for each separate program or shipping campaign--issues such as the frequency of updates? (MCSG)

Recommend that the various DOE programs be required to provide at least annual updates of projected shipment planning information. (NM EM&NR Dept.)

Suggest a 13-month schedule to be published at the start of the calendar year, followed by

PROTOCOL TOPIC- PROJECTED SHIPMENT PLANNING INFORMATION.DOC

monthly updates. (MCSG)

Please specify how often the planning information will be provided. (NCSG)

DOE Response:

DOE recognizes that stakeholders need planning information in order to carry out their responsibilities. This protocol provides the general information that will help stimulate a continuing dialogue between DOE programs and affected stakeholders. The protocol allows for the frequency of planning information to be determined by the responsible DOE office in conjunction with State and Tribal authorities. The methodology allows specific information requirements to be tailored to state and tribal information needs.

3. Stakeholders want more details on how they will be included in the planning process (this can be addressed in the Planning protocol).

Specific Comments:

The larger question/issue is: How early are affected States/Tribes/responders brought into the planning process? Are they truly a part of it, or simply informed of decisions after planning is well underway? (NGA)

During the conceptual stages of planning, DOE should begin a dialogue with the public, Tribal nations, and other impacted parties whenever developing policy initiatives, planning, and implementing activities for the transportation of radioactive waste and materials. This dialogue must be continued throughout the decision-making process.(SSAB)

DOE Response:

It is DOE's objective to consult and coordinate its transportation activities with affected stakeholders. The level of interaction reflects the differing materials and sensitivities surrounding our shipments. The projected shipment planning information protocol notes that the information provided and the timing of it will be determined by the responsible DOE office, in conjunction with State and Tribal authorities. This will permit each program to determine, in concert with their stakeholders, the appropriate schedule for providing information. Details on major shipping campaigns may be covered in transportation plans, the need for which will be defined in the planning protocol.

4. Stakeholders want the protocol to require that programs provide information, without any discretion by the DOE offices on specifically what information will be provided.

PROTOCOL TOPIC- PROJECTED SHIPMENT PLANNING INFORMATION.DOC

Specific Comments:

In Section II.A.2, it may be DOE's intention with this section to have States and Tribes work with the different programs to determine the type of information necessary for each shipping campaign. However, by using the word "may," it creates the impression that providing information to States and Tribes will be done on a voluntary basis rather than be required. Suggest rewording to make it clear that programs will be required to provide information on their shipments and that the exact information to be provided will be determined in advance for each generic material type. For the DOE protocols to have their intended effect, all programs must agree to follow them. (MCSG)

DOE Response:

The draft protocol lists recommended items, but notes that the specific information to be provided will be determined by the responsible DOE office, in conjunction with State and Tribal authorities. The methodology allows specific information requirements to be tailored to state and tribal information needs and will reflect the differences in the materials being shipped.

5. Stakeholders want the protocol to require use of the "Prospective Shipments Module."

Specific Comments:

The Prospective Shipments Module is the preferred method for providing information about upcoming shipments. The PSM should be faxed or e-mailed to points of contact in the States, Tribes and regions. If the PSM or another document is to be transmitted electronically, it must be in a format that is accessible to all recipients (e.g., PDF rather than Word or Excel).(MCSG)

Felt the information being given under this planning information banner is very similar to the existing PSM report. Feel the PSM gives good generic information for planning. (MCSG)

Felt the information being given under this planning information banner is very similar to the existing PSM report. Feels the PSM gives good generic information for planning. (SSEB)

With regard to the statement that "...it is left to the program to decide how and what information is given to stakeholders in the planning cycle," do not make it so program specific, and do not leave it to the discretion of the program office to decide how and what information is given to stakeholders in the planning cycle or it will not get done nor be consistent. Put all program information in one place, someplace like the Prospective Shipment Module (PSM), using the existing PSM template and place on secure Internet site. Update it quarterly and make it a rolling schedule that is updated appropriately. (TEC/WG Protocol Topic Group)

PROTOCOL TOPIC- PROJECTED SHIPMENTS PLANNING INFORMATION.DOC

Like the format of PSM in which to get information (with addition of above). Would like to see the PSM issued quarterly. Would like to see the PSM become more of a rolling schedule with timely updates. Need to add statement regarding "For Planning Purposes Only" to PSM report. This report/information needs to be on a protected Internet site. Take the planning information off Transcom. (WGA)

DOE Response:

The Prospective Shipments Module (PSM) has been used in the past to provide information on upcoming high-visibility shipments. Revisions to the PSM template are currently being considered as one means to provide accurate and complete shipment information. However, the need for a continuing dialogue between DOE programs and affected stakeholders is essential. Security Issues associated with placing the PSM on the Web have not yet been resolved.

6. Stakeholders expressed a desire for more information regarding high-volume low-level waste shipments.

Specific Comments:

Information regarding LLW shipments should be broad enough so that folks know a shipment campaign of large volume or one considered a routine shipment is happening. Don't need information on every shipment of LLW. A notification of when these large volume or routine shipment campaigns have started would be helpful (FN train was unknown to some western states until they saw it pass through their states and found out there would be many more.) Some training is necessary to respond to these if an incident happens and is currently an outlier. (WGA)

Felt less information is appropriate for less "risky" shipments. Don't include as much information on the lower risk shipments, but for large quantity/volume low level shipments give some planning information, but it does not have to be so in-depth; it gives the perception this material is dangerous, or on the same level as SNF. (MCSG)

DOE Response:

Draft protocol limits planning information on low-level waste shipments to "**High-volume shipments of** low-level and mixed low-level waste". Focusing on high-volume shipments gives information that is manageable and useful. For purposes of this protocol, a preliminary definition, still under consideration, of high volume shipments is as follows:

- High-volume truckload shipments are defined to be those which a shipper schedules for an average of five or more truckload shipments per week between a given origin and destination for a period of six or more months.

PROTOCOL TOPIC- PROJECTED SHIPMENTS PLANNING INFORMATION.DOC

Preliminary analysis indicates that the following sites may have shipments that exceed this amount:

- Brookhaven National Laboratory
- Energy Technology Engineering Center
- Fernald Environmental Management Project
- Miamisburg Environmental Management Project
- Oak Ridge Reservation
- Paducah Gaseous Diffusion Plant
- Rocky Flats Environmental Technology Site
- Savannah River Site

High-volume rail shipments of low activity radioactive materials are defined to be those which a shipper schedules for an average of 60 railcars or more per month between a given origin and destination for a period of six or more months.

Preliminary analysis indicates that the following sites may have shipments that exceed this amount:

- Fernald Environmental Management Project